

1007 Rec'd PCT/PTO 04 APR 2005

U. S. PATENT AND TRADEMARK OFFICE  
U. S. DEPARTMENT OF COMMERCE

MC072P

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/530214**

INTERNATIONAL APPLICATION NO.  
PCT/CA03/01605

INTERNATIONAL FILING DATE  
21/10/2003

PRIORITY DATE CLAIMED  
22/10/2002

**TITLE OF INVENTION**

NITRIC OXIDE RELEASING SELECTIVE CYCLOOXYGENASE-2 INHIBITORS

**APPLICANT(S) FOR DO/EO/US**

Zhaoyin Wang; Robert N. Young; Robert Zamboni

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 20 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 5.28 and 3.91 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

**EXPRESS MAIL CERTIFICATE**

DATE OF DEPOSIT April 4, 2005  
EXPRESS MAIL NO. 9595471705  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL "POST OFFICE TO  
ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN  
AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, D.C., 20231.  
MAILED BY Don Scheraga  
DATE April 4, 2005 PLACE Harvard, MA

JC06 Rec'd PCT/PTO 04 APR 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.53) <b>10/530214</b>		INTERNATIONAL APPLICATION NO. PCT/CA03/01605		ATTORNEY'S DOCKET NUMBER MC072P																					
The following fees are submitted: 21. <input checked="" type="checkbox"/> Basic national fee.....\$300 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100 All other situations.....\$200 23. <input checked="" type="checkbox"/> Search fee Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared and provided to the Office.....\$400 All other situations.....\$500 <b>TOTAL OF 21, 22 and 23=</b> \$900.00				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td>\$300.00</td> <td></td> </tr> <tr> <td>\$200.00</td> <td></td> </tr> <tr> <td>\$400.00</td> <td></td> </tr> <tr> <td>\$900.00</td> <td></td> </tr> </table>		CALCULATIONS	PTO USE ONLY	\$300.00		\$200.00		\$400.00		\$900.00											
CALCULATIONS	PTO USE ONLY																								
\$300.00																									
\$200.00																									
\$400.00																									
\$900.00																									
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total Sheets</th> <th style="text-align: left;">Extra Sheets</th> <th style="text-align: left;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="text-align: left;">RATE</th> </tr> <tr> <td>50 - 100 =</td> <td>0 /50</td> <td>0 = 0</td> <td>X \$250.00</td> </tr> <tr> <td colspan="3"></td> <td>\$0.00</td> </tr> </table>		Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	50 - 100 =	0 /50	0 = 0	X \$250.00				\$0.00								
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																						
50 - 100 =	0 /50	0 = 0	X \$250.00																						
			\$0.00																						
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CLAIMS</th> <th style="text-align: left;">NUMBER FILED</th> <th style="text-align: left;">NUMBER EXTRA</th> <th style="text-align: left;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>20 - 20 =</td> <td>0</td> <td>X \$50.00</td> </tr> <tr> <td>Independent Claims</td> <td>3 - 3 =</td> <td>0</td> <td>X \$200.00</td> </tr> <tr> <td colspan="3"></td> <td>\$0.00</td> </tr> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	20 - 20 =	0	X \$50.00	Independent Claims	3 - 3 =	0	X \$200.00				\$0.00				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																						
Total Claims	20 - 20 =	0	X \$50.00																						
Independent Claims	3 - 3 =	0	X \$200.00																						
			\$0.00																						
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)</b> =</td> <td>\$900.00</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td></td> </tr> <tr> <td colspan="3"><b>TOTAL NATIONAL FEE</b> =</td> <td>\$900.00</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +</td> <td></td> </tr> <tr> <td colspan="3"><b>TOTAL FEES ENCLOSED</b> =</td> <td>\$900.00</td> </tr> </table>		<b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)</b> =			\$900.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				<b>TOTAL NATIONAL FEE</b> =			\$900.00	Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +				<b>TOTAL FEES ENCLOSED</b> =			\$900.00
<b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)</b> =			\$900.00																						
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +																									
<b>TOTAL NATIONAL FEE</b> =			\$900.00																						
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +																									
<b>TOTAL FEES ENCLOSED</b> =			\$900.00																						
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 13-2755 in the amount of \$900.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Amount to be refunded:</td> <td style="width:50%;"></td> </tr> <tr> <td>Amount to be charged:</td> <td></td> </tr> </table>		Amount to be refunded:		Amount to be charged:																	
Amount to be refunded:																									
Amount to be charged:																									
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 2px; display: inline-block;">Customer No. 000210</div> <p>MERCK &amp; CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970</p> <p>DATE: April 4, 2005</p> <p>PHONE #: (732) 594-0182</p> <div style="text-align: right; margin-top: 20px;">         SIGNATURE        Raynard Yuro        NAME        45.570        REGISTRATION NUMBER     </div>																									